

Statement of Opposition to Connecticut Legislative Bill 6643

Bill Number: 6643
Bill Title: An act concerning residency restrictions for certain registered sexual offenders
Position on Bill: Opposition

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Summary of Reasons for Opposition:

Bill number 6643 should not be enacted for three primary reasons: 1) It will be a highly ineffective and potentially costly bill; 2) it will likely have many significant detrimental effects; and 3) there are already much more specialized and effective interventions being used in Connecticut with convicted sexual offenders.

Ineffective: Several states and studies have already shown residency restriction laws to be highly ineffective. For example, the Minnesota Department of Corrections concluded, "not a single re-offense would have been prevented by an ordinance restricting where sex offenders could live" (Duwe, Donnay, & Tewksbury, 2008). Furthermore, The Colorado Department of Public Safety (2004) concluded residency restrictions are unlikely to deter sexual offenses and such strategies should not be pursued.

Detrimental Effects: There are many likely detrimental effects. Because most sexual offenders and the persons they sexually assault are already well-known and/or related to each other, there is evidence such laws can contribute to additional trauma to known sexual abuse victims as well as minimizing the likelihood unknown sexual abuse victims will disclose the offenses. There is evidence such laws will cause significant developmental trauma and increase the risk of adolescents who have sexually assaulted and otherwise would be unlikely to continue with such behaviors as adults. There is strong evidence such laws will increase the risk adult sexual offenders will sexually re-offend by de-stabilizing their need for appropriate housing, employment, financial stability, and social supports. Another significant detrimental effect to such a law would be the negative impact to the community. For example, such a law would likely require law enforcement agencies to allocate much needed resources to ineffectively monitor areas where sexual assaults are highly unlikely to occur. Another impacted community resource would be the judicial system because it is highly likely there would be many more legal challenges by the defense system more stringently fighting sexual assault convictions which would lead to new highly problematic consequences. Finally, such a law would perpetuate misconceptions to the community about the actual dynamics of sexual assault and present a false sense of security.

More Effective Current Interventions: There is currently a comprehensive collaborative model used to address the supervision of post-conviction sexual offenders. This model includes specialized identification of the specific risks and needs of each sexual offender. This information is gathered and reviewed at a minimum by the supervising officer, treatment provider and victim advocate. The collaborative and specialized team assists the supervising officer in making effective community supervision decisions.

Detailed and Evidence Based Explanation for Opposition to Bill 6643

1. Bill 6643 Will Be Ineffective

a. Multiple States and Studies Have Already Found Such Legislation to Be Ineffective

- i. The Minnesota Department of Corrections tracked the re-offense rates of a group of sexual offenders and concluded the following: "not a single re-offense would have been prevented by an ordinance restricting where sex offenders could live" (Duwe, Donnay, & Tewksbury, 2008; as cited in Tabachnick & Klein 2011)
- ii. The Colorado Department of Public Safety concluded residency restrictions are unlikely to deter sexual offenses and such strategies should not be pursued (2004; as cited in Tabachnick & Klein 2011)

2. Bill 6643 Will Have Many Significant Detrimental Effects

a. Negative Impact on Sexual Abuse Victims

- i. Majority of Sexual Abusers and Victims Know Each Other
 1. One study indicated 34% of child sexual abusers assault a family member and an additional 59% know their victims (Snyder, 2000)
- ii. Increase the Unwillingness of Victim's to Report Sexual Assault:
 1. Laws which perpetuate the notion of sexual offenders as "monsters" who are a danger to the society in general, can also diminish the willingness of sexual abuse victims to involve themselves in the systemic abuses involved with disclosure of sexual offenses
 2. It is generally believed the majority of sexual abuse victims do not disclose the sexual offenses to authorities. For example, one study found that approximately 12% of child abuse is ever reported (Hanson, Resnick, Saunders, Kilpatrick, & Best, 1999).
- iii. Increase the Trauma to Sexual Abuse Victims:
 - a. "Furthermore, it is well documented that the family members of sexual abusers often struggle with the stress, shame, and stigma associated with having someone close to them exposed as a sex offender" (Tabachnick & Klein 2011)

b. Increase the Harm to Adolescents

- i. Significant Potential Harm to Juveniles Who Have Sexually Assaulted
 1. Between 30% to 50% of child sexual abuse occurs by an adolescent or child (Finkelhor, Ormrod, & Chaffin, 2009)
 2. Juveniles are more likely than adults to not continue with sexual assaults (Finkelhor et.al., 2009).
 3. Policies which contribute to the labeling and stigmatization of sexual offending can have a significant impact on the adolescents' ability to develop healthy and safe lives.

4. Residency restriction laws are “counterproductive to the goal of these youth developing the capacity to live successfully in a pro-social environment” (Ryan, 2000; as cited in Tabachnick & Klein 2011)
- c. Increase the Risk of Sexual Re-Offending: This bill will contribute to the community instability of the sexual offenders through loss of housing, employment, financial instability and social isolation
 - i. “Research has consistently shown that offenders who have positive support systems, social bonds to the community, and stable housing and jobs, and whose basic human needs are met, have significantly lower recidivism rates” (Tabachnick & Klein 2011)
 - ii. “Multiple studies have shown that sex offenders who are subject to public notification and residence restrictions suffer from significant stress factors, such as the loss of a job or home, harassment, and physical assault (Tabachnick & Klein 2011).
 - iii. Residency restrictions eliminates almost all housing options in more urban areas
 1. 99% of residential properties in Orlando, Florida are within 2,500 feet of schools, parks, day care centers, bus stops (Zandbergen & Hart, 2006)
 2. 92% of available residential areas in an urban New Jersey area was covered by a 2,500 residency restriction (Chajewski and Mercado, 2008)
 3. Colorado Department of Corrections (2004) found residency restrictions left few housing options
- d. *Create Significant Problems for the Community to Effectively Address Sexual Abuse*
 - i. Depletes Needed Community Resources:
 1. Law Enforcement agencies have to further monitor all the limited areas
 2. Court battles from defense attorney’s and their clients will increase to avoid such punitive consequences
 - ii. Increases Miscommunication to the Public about the Dynamics of Sexual Abuse
 1. Infers sexual offenders are largely stranger offenders who will prey on children in the public
 2. Gives a false sense of security by suggesting community restrictions will control the inferred public offenders
3. **There Are Already Sound and Specific Community Interventions Much More Effective than Bill 6643**
 - a. There is currently a comprehensive collaborative model used to address the supervision of post-conviction sexual offenders. This model includes specialized identification the specific risks and needs of each sexual offender. This information is gathered and reviewed by the supervising officer, treatment provider and victim advocate. The collaborative and specialized team assists the supervising officer in making effective community supervision decisions.

References:

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